Representation of the People (Ireland) Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clause.

1. Short Title.
2. Application of Act.

PART I.

FRANCHISES.

3. Occupation Franchise for Voters in Cities, Towns, and Boroughs.
4. Lodger Franchise for Voters in Cities, Towns, and Boroughs.
5. Registration of Persons occupying Lodgings.
6. Joint Occupation in Counties.
7. Successive Occupation in Counties.
8. Electors employed for Hire within Six Months of an Election disqualified.

PART II.

9. Boundaries of Parliamentary Boroughs.—CLAUSE A.

PART III.

MISCELLANEOUS.

10. Rooms for taking Polls to be hired.
11. Members holding certain Offices not to vacate Seats on Acceptance of another Office.
12. Payment of Expenses of conveying Voters in Boroughs to the Poll illegal.
13. Returning Officer, &c. acting as Agent guilty of Misdemeanor.
14. Notice of Claim in Cities, Towns, and Boroughs.
15. Repeal of 1 & 2 Vict. c. 56. s. 72., and of 6 & 7 Vict. c. 92. s. 5.
16. General Saving Clause.
17. Writs to be made conformable to Act.

 18. Con-

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18. Construction of Act.

19. Where Value of Premises do not exceed Four Pounds in Dublin, Cork, Limerick, Belfast, or Waterford, immediate Lessor to be rated.

20. In certain Boroughs Occupiers of Lands, &c. where Owners now rated shall be entitled to be registered.—CLAUSE B.

21. Collector General of Rates to make Lists of Voters for the City of Dublin.

22. Certain Provisions of 13 & 14 Vict. c. 69. to apply to Collector General of Rates.

23. Remuneration of Collector General of Rates.

24. Definition of "Town Clerk."

25. Interpretation of Terms.

SCHEDULES.

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A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend the Representation of the People in Ireland.

WHEREAS it is expedient to amend the Laws relating to the Representation of the People in Ireland:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and
5 Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited for all Purposes as "The Representation of the People (Ireland) Act, 1868." **Short Title.**

10 **2.** This Act shall apply to Ireland only. **Application of Act.**

PART I.

FRANCHISES.

3. From and after the passing of this Act the Fifth Section of the Act of the Thirteenth and Fourteenth Years of the Reign of Her
15 present Majesty, Chapter Sixty-nine, and all other Sections or Parts of the same Act which relate to or affect the Franchise conferred by the **Occupation Franchise in Cities, Towns, and Boroughs.**

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the said Fifth Section, or the Registration of Voters upon whom it is conferred, and in which are the Words "Eight Pounds" in reference to the said Franchise, shall be read and construed as if the Words "more than Four Pounds" had been used and were substituted in the said Fifth and other Sections instead of and for the Words "Eight Pounds," so and in such Manner that, subject to all the Provisions of the said Act, the Occupation of Lands, Tenements, or Hereditaments rated at the net annual Value of more than Four Pounds shall be as effectual to qualify any Man to be registered as a Voter, and when registered to vote at any Election of Members to serve in Parliament for any City, Town, or Borough in Ireland to be held after the passing of this Act as the Occupation of Lands, Tenements, and Hereditaments rated at the net annual Value of Eight Pounds and upwards was before the passing of this Act; and in all Provisions relating to such Occupation, Registration, or voting, and in all Lists, Returns, Precepts, Notices, or other Forms made or issued in pursuance of the Provisions of the Registration Acts, the Words "more than Four Pounds" shall, when necessary, be substituted for the Words "Eight Pounds."

Lodger Franchise for Voters in Cities, Towns, and Boroughs.

4. Every Man shall be entitled to be registered as a Voter, and when registered to vote for a Member or Members to serve in Parliament for a City, Town, or Borough, who is qualified as follows; (that is to say,)

1. Is of full Age and not subject to any legal Incapacity; and
2. As a Lodger has occupied in such City, Town, or Borough, separately and as sole Tenant for the Twelve Months preceding the Twentieth Day of July in any Year, the same Lodgings, such Lodgings being Part of one and the same Dwelling House, and of a clear yearly Value, if let unfurnished, of Ten Pounds or upwards; and
3. Has resided in such Lodgings during the Twelve Months immediately preceding the Twentieth Day of July, and has claimed to be registered as a Voter at the next ensuing Registration of Voters.

Registration of Persons occupying Lodgings.

5. The Claim of every Person desirous of being registered as a Voter for a Member or Members to serve for any City, Town, or Borough in respect of the Occupation of Lodgings shall be in the Form numbered 1. in Schedule (D.) to this Act annexed, or to the like Effect, and shall have annexed thereto a Declaration in Form and be certified in Manner in the said Schedule mentioned, or as near thereto as Circumstances admit, and every such Claim shall after the Twentieth Day of July and on or before the Fourth Day of August in any Year be delivered to the Town Clerk in the City,

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City, Town, or Borough in which such Lodgings shall be situate, and the Particulars of such Claim shall be duly published by such Town Clerk on or before the Eleventh Day of August next ensuing, in a separate List, according to the Form numbered 2. in the said Schedule (D.); and all the Provisions of the Registration Acts with respect to the publishing of Lists of Claimants and to the Delivery of Copies thereof to Persons requiring the same by the said Town Clerk shall apply to every such Claim and List, and all the Provisions of the same Acts with respect to the Proof of Claims and to Objections thereto and to the hearing thereof shall, so far as the same are applicable, apply to Claims and Objections and to the hearing thereof under this Section.

As to Joint Occupation in Counties.

6. In a County where Premises are in the Joint Occupation of several Persons as Owners or Tenants, and the aggregate rateable Value of such Premises is such as would, if divided amongst the several Occupiers, so far as the Value is concerned, confer on each of them a Vote, then each of such Joint Occupiers shall, if otherwise qualified, be entitled to be registered as a Voter, and when registered to vote at an Election for the County: Provided always, that not more than Two Persons, being such Joint Occupiers, shall be entitled to be registered in respect of such Premises, unless they shall have derived the same by Descent, Succession, Marriage, Marriage Settlement, or Devise, or unless they shall be bonâ fide engaged as Partners carrying on Trade or Business thereon.

Provisions as to Premises occupied in succession in Counties.

7. The Premises in respect of the Occupation of which any Person shall be entitled to be registered in any Year, and to vote in the Election for any County, shall not be required to be the same Premises, but may be different Premises occupied in immediate Succession by such Person during the Twelve Calendar Months next previous to the Twentieth Day of July in such Year, such Person having paid on or before the First Day of July in such Year all the Poor's Rates which shall, previously to the First Day of January in such Year, have become payable from him in respect of all such Premises so occupied by him in succession.

No Elector who has been employed for Reward within Six Months of an Election to be entitled to vote.

8. No Elector who, within Six Months before or during any Election for any County, City, Town, or Borough, shall have been retained, hired, or employed for all or any of the Purposes of the Election for Reward by or on behalf of any Candidate at such Election as Agent, Canvasser, Clerk, Messenger, or in any other like Employment, shall be entitled to vote at such Election, and if he shall so vote he shall be guilty of a Misdemeanor.

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PART II.

Clause A. Boundaries of Parliamentary Boroughs.

9. Where at the Time of the passing of this Act the Boundary of any Municipal Borough does not coincide with the Parliamentary Borough, all that Part of such Borough situate beyond the Limits of the Parliamentary Borough, but within the Municipal Limits, shall form Part of the Borough for all Purposes connected with the Election of a Member or Members to serve in Parliament for said Borough.

PART III.

Miscellaneous.

Rooms for taking Polls to be hired wherever they can be obtained.

10. At every contested Election for any County, City, Town, or Borough, unless some Building or Place belonging to the County, City, Town, or Borough is provided for that Purpose, the Returning Officer shall, whenever it is practicable so to do, instead of erecting a Booth, hire a Building or Room for the Purpose of taking the Poll:

Where in any Place there is any Room the Expense of maintaining which is payable out of any Rates levied in such Place, such Room may, with the Consent of the Person or Corporation having the Control over the same, be used for the Purpose of taking the Poll at such Place.

Members holding Offices of Profit from the Crown, as in Schedule (E.), not to vacate their Seats on Acceptance of another Office.

11. Whereas it is expedient to amend the Law relating to Offices of Profit, the Acceptance of which from the Crown vacates the Seats of Members accepting the same, but does not render them incapable of being re-elected: Be it enacted, That where a Person has been returned as a Member to serve in Parliament since the Acceptance by him from the Crown of any Office described in Schedule (E.) to this Act annexed, the subsequent Acceptance by him from the Crown of any other Office or Offices described in such Schedule, in lieu of and in immediate Succession the one to the other, shall not vacate his Seat.

Payment of Expenses of conveying Voters in Boroughs to the Poll illegal.

12. It shall not be lawful for any Candidate, or any One on his Behalf, at any Election for any City, Town, or Borough, except the several Boroughs of the County of the Town of Carrickfergus, County of the City of Cork, County of the Town of Galway, County of the City of Limerick, to pay any Money on account of the Conveyance of any Voter to the Poll, either to the Voter himself or to any other Person; and if any such Candidate, or any Person on his Behalf, shall pay any Money on account of the Conveyance of any Voter to the Poll, such Payment shall be deemed to be an illegal Payment within the Meaning of "The Corrupt Practices Prevention Act, 1854."

13. No

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13. No Returning Officer for any County, City, Town, or Borough, nor his Deputy, nor any Partner or Clerk of either of them, shall act as Agent for any Candidate in the Management or Conduct of his Election as a Member to serve in Parliament for such County, City, Town, or Borough; and if any Returning Officer, his Deputy, the Partner or Clerk of either of them, shall so act, he shall be guilty of a Misdemeanor.

Returning Officer, &c. acting as Agent guilty of Misdemeanor.

14. Every Notice of Claim to be registered as a Voter for any City, Town, or Borough in Ireland shall be signed by the Person making such Claim.

Notice of Claim to vote in Cities, Towns, or Boroughs to be signed by Claimant.

15. From and after the passing of this Act Section Seventy-two of the Act of the First and Second Years of the Reign of Her present Majesty, Chapter Fifty-six, and Section Five of the Act of the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Ninety-two, shall be and the same are hereby respectively repealed.

Repeal of 1 & 2 Vict. c. 56. s. 72. and of 6 & 7 Vict. c. 92. s. 5.

16. The Franchises conferred by this Act shall be in addition to and not in substitution for any existing Franchises, but so that no Person shall be entitled to vote for the same Place in respect of more than One Qualification; and, subject to the Provisions of this Act, all Laws, Customs, and Enactments now in force conferring any Right to vote, or otherwise relating to the Representation of the People in Ireland, and the Registration of Persons entitled to vote, shall remain in full Force, and shall apply, as nearly as Circumstances admit, to any Person hereby authorized to vote, and shall also apply to any Constituency hereby authorized to return a Member or Members to Parliament, as if it had heretofore returned such Members to Parliament, and to the Franchises hereby conferred, and to the Registers of Voters hereby required to be formed.

General Saving Clause.

17. All Writs to be issued for the Election of Members to serve in Parliament, and all Mandates, Precepts, Instruments, Proceedings, and Notices consequent upon such Writs, or relating to the Registration of Voters, shall be framed and expressed in such Manner and Form as may be necessary for the carrying the Provisions of this Act into effect.

Writs, &c. to be made conformable to this Act.

18. This Act, so far as is consistent with the Tenor thereof, shall be construed as One with the Enactments for the Time being in force relating to the Representation of the People in Ireland, and with the Registration Acts.

Construction of Act.

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Where Value of Premises in certain Boroughs is not more than Four Pounds, the Rate is to be made on the immediate Lessors.

19. From and after the passing of this Act, Section One hundred and sixteen of the said Act of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter Sixty-nine, shall be and the same is hereby repealed; and whenever the net annual Value of the whole of the rateable Hereditaments in any Electoral Division situate wholly or in part in any of the Boroughs of Dublin, Cork, Limerick, Belfast, or Waterford, occupied by any Person or Persons having no greater Estate or Interest therein than a Tenancy from Year to Year, or holding under a Lease or Agreement, Leases or Agreements made after the Twenty-fourth Day of August One thousand eight hundred and forty-three, shall not exceed Four Pounds, the Rate in respect of such Property shall, after the passing of this Act, be made on the immediate Lessor or Lessors of such Person or Persons; and if at the Time of making any such Rate the Name of the immediate Lessor be not accurately known to the Persons making the Rate, it shall be sufficient to describe him therein as the "immediate Lessor," with or without any Name or further Addition, and such Rate shall be held to be duly made on him by such Description, and shall be recoverable from him accordingly, notwithstanding any Error or Defect in his Name or Description, or the entire Omission of his Name therein.

Clause B. In certain Boroughs Occupiers of Lands, &c. where Owners now rated shall be entitled to be registered.

20. In the Boroughs of Dublin, Cork, Limerick, Belfast, and Waterford, every Man who would be entitled to be registered at the next Registration of Parliamentary Voters, under the Provisions of this Act, in respect of the Occupation of Lands, Tenements, or Hereditaments (for which the Owner or immediate Lessor at the Time of the passing of this Act is liable to be rated to the Poor Rate instead of the Occupier), if he had been rated to the Poor Rate in respect of the said Premises and had duly paid the said Poor Rate, shall, notwithstanding that he has not been so rated or paid any Rate, be entitled to be registered at the next Registration of Parliamentary Voters.

Collector General of Rates to make Lists of Voters for the City of Dublin.

21. From and after the passing of this Act the Clerk of each Poor Law Union comprising any Part or Parts of the City of Dublin shall exclude from the List or Lists to be made by him, in pursuance of the Thirty-second Section of the said Act of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter Sixty-nine, every Person who shall be rated as the Occupier of any Lands, Tenements, or Hereditaments situate within the Municipal District of Dublin, as defined by an Act passed in the Third Year of the Reign of Her present Majesty, intituled "An Act for the Regulation of Municipal Corporations in Ireland," and the Collector General of

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of Rates for the City of Dublin shall, on or before the Eighth Day of July in every Year, make out and transmit to the Town Clerk of the City of Dublin a List of every Man of full Age who shall be rated in the Books of the said Collector General of Rates for the said City, in the then last Rate made under the Act of the Twelfth and Thirteenth Years of the Reign of Her present Majesty, intituled "An Act to provide for the Collection of Rates in the City of Dublin," as the Occupier of any Lands, Tenements, or Hereditaments situated within the Municipal District of Dublin, as defined as aforesaid, of a net annual Value of more than Four Pounds, and of every Person who shall be rated in the said Books, in the then last Rate made as aforesaid, jointly with any other Person or Persons as the Occupiers of any Lands, Tenements, or Hereditaments situated within the said Municipal District of a net annual Value of such an Amount as when divided by the Number of Occupiers would give to each such Occupier a net annual Value of more than Four Pounds; excluding, nevertheless, from such List every such Occupier and every such Joint Occupier who shall not on or before the First Day of July in such Year have paid all Poor Rates (if any) which shall have become payable by him in respect of such Premises previously to the First Day of January then last, and such Lists shall be in the Form, and shall contain the Particulars mentioned on Form No. 6. in the Schedule B. annexed to the said Act of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter Sixty-nine. And such List shall be signed by the said Collector General, and shall be verified by him as true, according to the best of his Belief, by an Oath or Declaration to be made by him before some Justice of the Peace acting in and for the City of Dublin, and which Oath or Declaration any such Justice is hereby authorized and required to take.

Certain Provisions of 13 & 14 Vict. c. 69. to apply to Collector General of Rates.

22. The Provisions of the Sixty-sixth and Sixty-seventh Sections of the said Act of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter Sixty-nine, shall apply to the said Collector General of Rates as fully as the same apply to the Clerk of any Union.

Remuneration of Collector General of Rates.

23. The Guardians of the Poor of each Union comprising any Parts of the City of Dublin shall, by an Order, make such annual Allowance out of the Rates to the said Collector General of Rates as a Compensation for the Duty by this Act imposed upon him as the said Guardians shall think proper; but no such Order shall be acted on, or any Payment made thereunder, until the same shall be approved of by the Poor Law Commissioners, and the Payments sanctioned by them.

 24. For

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Town Clerk.

24. For the Purposes of the Registration Acts and of this Act, in all Towns under the Towns Improvement (Ireland) Act, 1854, the Clerk of the Town Commissioners shall be the Town Clerk; and in all Towns under the Statute passed in the Ninth Year of the Reign of King George the Fourth, Chapter Eighty-two, the Clerk of the Paving, Lighting, and Cleansing Commissioners, and in Towns under Improvement or Municipal Commissioners, the Clerk to such Commissioners, shall be the Town Clerk; and in Towns under none of the Authorities before mentioned, the Collector of the Grand Jury Cess shall act as Town Clerk.

Interpretation of Terms.

25. The following Terms shall in this Act have the Meanings herein-after assigned to them, unless there is something in the Context repugnant to such Construction; (that is to say,)

"Month:" "Month" shall mean Calendar Month:

"Member:" "Member" shall include a Knight of the Shire:

"County:" The Word "County" shall include a Riding or Division of a County:

"County of a City," "County of a Town:" The Words "County of a City," or "County of a Town," or "City," or "Town", or "Borough," respectively, shall include all Places situate within the Parliamentary Boundaries of such City or Town or Borough, and none other:

"City," "Town:" The Words "City" or "Town" shall respectively include County of a City or County of a Town:

"Registration Acts." The "Registration Acts" shall mean the Act of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter Sixty-nine, and all other Acts or Parts of Acts relating to the Registration or Qualification of Persons entitled to vote at the Election of Members to serve in Parliament for Ireland, as amended by this Act.

SCHE-

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SCHEDULES to this Act.

SCHEDULE (D.)

FORM No. 1.

Claim of Lodger.

5 City, Town, *or* Borough of .

To the Town Clerk of the City, Town, *or* Borough of .

I hereby claim to be inserted in the List of Voters in respect of the Occupation of the under-mentioned Lodgings, and the Particulars of my Qualification are stated in the Columns below.

10

Christian Name and Surname at full Length.	Profession, Trade, or Calling.	Description of Lodgings.	Description of House in which Lodgings situate, with Number, if any, and Name of Street.	Name, Description, and Residence of Landlord or other Person to whom Rent paid.

15 I, the above-named hereby declare that I have been during the Twelve Months immediately preceding the Twentieth Day of July in this Year the Occupier as sole Tenant of the above-mentioned Lodgings, and that I have resided therein during the Twelve Months immediately preceding the said Twentieth Day of 20 July, and that such Lodgings are of a clear yearly Value, if let unfurnished, of Ten Pounds or upwards.

Dated the Day of

Signature of Claimant -

Witness to the Signature of the said }
25 And I certify my Belief in the Accuracy of the above Claim. }

Name of Witness - - -

Residence and Calling - -

[This Claim must bear Date the Twenty-first Day of July, or some 30 Day subsequent thereto, and must be delivered to the Town Clerk on or before the Fourth Day of August.]

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FORM No. 2.

List of Claimants in respect of Lodgings to be published by the Town Clerk.

The following Persons claim to have their Names inserted in the List of Persons entitled to vote in the Election of a Member [*or* Members] for the City, Town, *or* Borough of .

Christian Name and Surname of each Claimant, at full Length.	Profession, Trade, or Calling.	Description of Lodgings.	Description of House in which Lodgings situate, with Number, if any, and Name of Street.	Name, Description, and Residence of Landlord or other Person to whom Rent paid.

(Signed) *A.B.*, Town Clerk.

SCHEDULE (E.)

Offices of Profit referred to in this Act.

Lord High Treasurer.

Commissioner for executing the Offices of Treasurer of the Exchequer of Great Britain and Lord High Treasurer of Ireland.

President of the Privy Council.

Vice-President of the Committee of Council for Education.

Comptroller of Her Majesty's Household.

Treasurer of Her Majesty's Household.

Vice-Chamberlain of Her Majesty's Household.

Equerry or Groom in Waiting on Her Majesty.

Any Principal Secretary of State.

Chancellor and Under Treasurer of Her Majesty's Exchequer.

Paymaster General.

Postmaster General.

Lord High Admiral.

Commissioner for executing the Office of Lord High Admiral.

Commissioner of Her Majesty's Works and Public Buildings.

President of the Committee of Privy Council for Trade and Plantations.

Chief Secretary for Ireland.

Commis-

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Commissioner for administering the Laws for the Relief of the Poor in England.
Chancellor of the Duchy of Lancaster.
Judge Advocate General.
5 Attorney General for Ireland.
Solicitor General for Ireland.
Attorney General for England.
Solicitor General for England.
Lord Advocate for Scotland.
10 Solicitor General for Scotland.

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Representation of the People (Ireland).

A

B I L L

[As amended in committee]

To amend the Representation of the People in Ireland.

(Prepared and brought in by The Earl of Mayo, Mr. Disraeli, and Mr. Attorney General for Ireland.)

Ordered, by The House of Commons, to be Printed, 18 *June* 1868.

[Bill 179.]

Under 2 *oz.*

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